UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,782	04/20/2001	Brian Cooper	A01006	9763

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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	09/838,782	COOPER ET AL.
Office Action Summary	Examiner	Art Unit	
	Amelia Rutledge	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 April 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-12</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-12</u> is/are rejected.

7)☒ Claim(s) <u>12</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: original application filed 04/20/2001.

2.   Claims 1-12 are pending. Claims 1, 7, and 10 are independent claims.

Claim Objections

3.   Claim 12 is objected to because of the following informalities: claim 12 refers to "the editing system of claim 1" however, because in the sequence of claims, claim 12 is listed after independent claim 10, it is unclear whether the dependence on claim 1 is intentional or a typographical error and whether claim 12 is meant to be dependent on claim 10.

        For purposes of examination, it is assumed that claim 12 is dependent on claim 10. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claims 1-5 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Escobar et al. (hereinafter "Escobar"), U.S. Patent No. 5,659,793 issued August 1997.**

Independent claim 1 cites: *An editing system comprising: a timeline interface having at least one interactive track for interactive content and at least one track for time-based media, wherein interactive content may be associated with a point in time on the at least one track for interactive content; and*

Escobar teaches a multimedia application development tool with a timeline interface with multiple timelines, i.e., tracks (Col. 4, l. 1-18) (Col. 6, l. 23-29). At least one timeline is dedicated to interactive objects (Col. 4, l. 17-18). Playback of objects on the timeline occurs in a time sequence indicated by their position on the timeline, resulting in time-based media.

Claim 1 also cites: *means for allowing a user to place interactive content on the at least one interactive track according to a selection of whether the interactive content is associated with either a point in time with a locator object or a duration with a source clip object on the at least one interactive track.*

Escobar teaches the application of a time code to allow an edit point to be defined as a certain duration from a clearly delineated starting point for asset playback (Col. 8, l. 15-21). Escobar teaches that the user interface allows the user to associate properties with an object, including creating placeholder objects, and to assemble objects into applications with relative timing specified by their placement along the timeline tracks (Col. 6, l. 30-41).

Claim 2 cites: *The editing system of claim 1, further comprising: a bin for storing interactive content;*

Escobar teaches a bin for storing interactive content (Col. 6, l. 15-18).

means for importing interactive content into the bin such that interactive content in the bin is associated with a unique reference;

Escobar teaches a process of creating objects, where a bin is selected and properties are edited for the object by filling in a template (Col. 9, I. 20-45). Files are stored in industry standard format (Col. 7, I. 52-56). Because files are stored in industry standard format, it is inherent in the disclosure of Escobar that the file is associated with a unique reference, as industry standard format requires the unique identification of files.

wherein the means for allowing a user to place interactive content the at least one interactive track accesses the interactive content from the bin; and

Escobar teaches a process by which the user views the contents of the bin and the user selects an icon from the bin for placement on the timeline, and selects the timeline track on which the icon is to be placed, then drags and drops the icon at the start time desired (Col. 10, I. 10-36).

means for updating information about the interactive content in the bin using the unique reference.

Escobar teaches a means of editing objects in the bin, making changes to the object, and saving the revised properties for the object (Col. 9, I. 45-63).

Claim 3 cites: *The editing system of claim 2, wherein the interactive content is a trigger element and the unique reference includes a file name for a trigger file including a description of the trigger element and a unique identifier of the trigger element.*

Escobar teaches the creation and use of program objects, i.e., trigger files, to perform a variety of functions, which can be dragged and dropped onto interactive tracks (Col. 8, I.

29-67). The objects are stored and edited in the same manner as other objects stored

in the bins. Escobar also teaches a method for storing a pointer to objects dropped on

the timeline so that memory can be accessed to obtain the records referenced by the

pointers at runtime (Col. 10, l. 24-26, l. 37-45).

Claim 4 cites: *The editing system of claim 2, wherein the interactive content is a*

document and the unique reference includes a file name for the document.

Escobar teaches the creation of graphics or text overlay assets, i.e., documents with a

graphic/text editor (Col. 9, l. 64-Col. 10, l. 9). Escobar teaches that files are stored in

industry standard format (Col. 7, l. 52-56). Because files are stored in industry standard

format, it is inherent in the disclosure of Escobar that the file is associated with a file

name, as industry standard format requires the naming of files.

Claim 5 cites: *The editing system of claim 1, further comprising: a bin for storing*

interactive content; means for importing interactive content into the bin such that

information about the interactive content is stored in the bin; wherein the means for

allowing a user to place interactive content the at least one interactive track stores

information about the interactive content as an attribute of the object used for the

interactive content.

Escobar teaches a bin for storing interactive content (Col. 6, l. 15-18). Escobar teaches

a process of creating objects, where a bin is selected and properties are edited for the

object by filling in a template, so that information about the content is stored in the bin

(Col. 9, l. 20-45). Fig. 6 of Escobar discloses timeline management where a data

structure is associated with each timeline track; the structure is a linked list, and each

entry in the list points to another data structure, which contains the information

necessary to execute the object on the timeline (Col. 11, I. 30-35). This data structure

stores information about the object as an attribute.

Independent claim 7 cites: *An editing system comprising: a timeline interface*

for specifying a program having at least one interactive track for interactive content and

at least one track for time-based media, wherein interactive content may be associated

with a point in time on the at least one interactive track;

Escobar teaches a multimedia application development tool with a timeline interface

with multiple timelines, i.e., tracks (Col. 4, I. 1-18) (Col. 6, I. 23-29). At least one

timeline is dedicated to interactive objects (Col. 4, I. 17-18). Playback of objects on the

timeline occurs in a time sequence indicated by their position on the timeline, resulting

in time-based media. Escobar teaches the application of a time code to allow an edit

point to be defined as a certain duration from a clearly delineated starting point for asset

playback (Col. 8, I. 15-21). Escobar teaches that the user interface allows the user to

associate properties with an object, including creating placeholder objects, and to

assemble objects into applications with relative timing specified by their placement

along the timeline tracks (Col. 6, I. 30-41).

a bin for storing interactive content;

Escobar teaches a bin for storing interactive content (Col. 6, I. 15-18).

means for importing interactive content into the bin such that interactive content

in the bin is associated with a unique reference;

Escobar teaches a process of creating objects, where a bin is selected and properties

are edited for the object by filling in a template (Col. 9, l. 20-45). Files are stored in

industry standard format (Col. 7, l. 52-56). Because files are stored in industry standard

format, it is inherent in the disclosure of Escobar that the file is associated with a unique

reference, as industry standard format requires the unique identification of files.

means for allowing a user to place interactive content selected from the bin on

the at least one interactive track; and

Escobar teaches a process by which the user views the contents of the bin and the user

selects an icon from the bin for placement on the timeline, and selects the timeline track

on which the icon is to be placed, then drags and drops the icon at the start time desired

(Col. 10, l. 10-36).

means for updating information about the interactive content in the bin using the

unique reference.

Escobar teaches a means of editing objects in the bin, making changes to the object,

and saving the revised properties for the object (Col. 9, l. 45-63). It is inherent in the

disclosure of Escobar that accessing the object in the bin would require using a unique

reference.

Regarding dependent claims 8 and 9, claims 8 and 9 reflect the same

concepts described in the editing system as claimed in claims 3 and 4, and are rejected

along the same rationale.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 6 and 10-12 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Escobar in view of Nagasaka et al. (hereinafter "Nagasaka"),

U.S. Patent No. 6,195,497 issued February 2001.

Claim 6 cites: *The editing system of claim 1, wherein interactive content*

includes display information indicating information to be displayed with the video and a

specification of size and position of the video, and the editing system further comprising:

means for playing back the program specified by the timeline interface including: means

for accessing the specification of the size and position of the video for the interactive

content corresponding to a point in time in the program; and

Escobar teaches a multimedia application development tool, which includes graphics or

text overlays, i.e., information to be displayed with video (Col. 8, l. 64-Col. 10, l. 9).

Escobar teaches a means for playing back the program created with the timeline with

an intelligent terminal or set top box or digital entertainment terminal (Col. 12, l. 16-Col.

15, l. 26). Escobar teaches a graphics display generator and video RAM that

manipulate different planes of active video information (Col. 13, l. 35-Col. 14, l. 4).

Escobar does not explicitly teach *means for accessing the specification of the*

size and position of the video for the interactive content corresponding to a point in time

in the program, however, Nagasaka teaches a video retrieval method in which an

object-oriented data structure stores information about the video including size and

position of video elements (Col. 7, I. 33-60), i.e., a specification. The object orient data

structure taught by Nagasaka corresponds to the x – y axis of the video frame plane

and the time t, therefore storing size, position relative to time. It would have been

obvious to one of ordinary skill in the art at the time of the invention to apply Nagasaka

to Escobar, providing Escobar the benefit of enabling a user to freely and easily make

associated video retrievals from index information.

Claim 6 also cites: *means for displaying the video and the display information of*

the interactive content according to the specification and the point in time in the

program.

Escobar does not explicitly teach a means for displaying the video and display

information according to the specification and the point in time in the program, however,

Nagasaka teaches a video playback and display portion of the video retrieval method,

which handles playback for the monitor (Col. 7, I. 60-Col. 8, I. 5). The video playback

and display portion operates in conjunction with an object management portion which

manages the object-oriented data structure which contains the size and position

information. It would have been obvious to one of ordinary skill in the art at the time of

the invention to apply Nagasaka to Escobar, providing Escobar the benefit of enabling a

user to freely and easily make associated video retrievals from index information.

Independent claim 10 cites: *An editing system comprising: a timeline interface*

for specifying a program having at least one interactive track for interactive content and

at least one track for video, wherein interactive content may be associated with a point in time on the at least one interactive track;

Escobar teaches a multimedia application development tool with a timeline interface with multiple timelines, i.e., tracks (Col. 4, l. 1-18) (Col. 6, l. 23-29). At least one timeline is dedicated to interactive objects (Col. 4, l. 17-18). Playback of objects on the timeline occurs in a time sequence indicated by their position on the timeline, resulting in time-based media. Escobar teaches the application of a time code to allow an edit point to be defined as a certain duration from a clearly delineated starting point for asset playback (Col. 8, l. 15-21). Escobar teaches that the user interface allows the user to associate properties with an object, including creating placeholder objects, and to assemble objects into applications with relative timing specified by their placement along the timeline tracks (Col. 6, l. 30-41).

Claim 10 also cites: *means for allowing a user to place interactive content on the at least one interactive track, wherein interactive content includes display information indicating information to be displayed with the video and a specification of size and position of the video; and*

Escobar teaches a process by which the user views the contents of the bin of interactive content and the user selects an icon from the bin for placement on the timeline, and selects the timeline track on which the icon is to be placed, then drags and drops the icon at the start time desired (Col. 10, l. 10-36). Escobar teaches a multimedia application development tool, which includes graphics or text overlays, i.e., information to be displayed with video (Col. 8, l. 64-Col. 10, l. 9).

Escobar does not explicitly teach that the interactive content includes a specification of size and position of the video, however, Nagasaka teaches a video retrieval method in which an object-oriented data structure stores information about the video including size and position of video elements (Col. 7, I. 33-60), i.e., a specification. The object orient data structure taught by Nagasaka corresponds to the x – y axis of the video frame plane and the time t, therefore storing size and position relative to time. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Nagasaka to Escobar, providing Escobar the benefit of enabling a user to freely and easily make associated video retrievals from index information.

Claim 10 also cites: *means for playing back the program specified by the timeline interface including: means for accessing the specification of the size and position of the video for the interactive content corresponding to a point in time in the program; and means for displaying the video and the display information of the interactive content according to the specification and the point in time in the program.* Escobar does not explicitly teach a means for accessing and displaying the video and display information according to the specification and the point in time in the program, however, Nagasaka teaches a video playback and display portion of the video retrieval method, which handles playback for the monitor (Col. 7, I. 60-Col. 8, I. 5). The video playback and display portion operates in conjunction with an object management portion, which manages the object-oriented data structure, i.e. specification, which contains the size and position information. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Nagasaka to Escobar,

providing Escobar the benefit of enabling a user to freely and easily make associated

video retrievals from index information.

Claim 11 cites: *The editing system of claim 10, further comprising: means for*

allowing a user to select interactive content;

Escobar teaches a means for a user to select an object of interactive content from a bin

using icons (Col. 10, l. 10-36).

means for launching an authoring tool corresponding to the selected interactive

content, and for causing the authoring tool to access and open for editing the selected

interactive content.

Escobar teaches a software architecture which launches the authoring tool (Fig. 3, Col.

7, l. 57-65), and a development environment utilized to create interactive multimedia

applications (Col. 7, l. 17-29). The tool is used to access and open the interactive

content.

Claim 12 cites: *The editing system of claim 10, further comprising: means for*

allowing the user to place time-based media on a track using one of a source clip object

and a locator object; and

Escobar teaches a method of placing an icon on a selected timeline track at a desired

start time (Col. 10, l. 15-36). The icon represents an object, which may be an edited

section of raw video, i.e., a source clip object (Col. 9, l. 46-63). A pointer to the object

identified by the icon on the timeline track is then stored in a linked list for the selected

timeline track at a location determined by its start time (Col. 10, l. 24-26), therefore the

pointer is a locator object.

means for allowing the user to perform editing operations that affect source clip

objects and locator objects, whereby interactive content and time-based media are

edited in the same manner to maintain synchronization.

Escobar teaches that objects may be created to permit easy manipulation of portions of

an asset during creation of a specific application, while other objects are more functional

and may be reused. Escobar discloses video objects, audio objects, text/graphical

objects, special effects, program objects and applications (Col. 6, l. 52-61). The user

performs editing operations in a work space where currently selected objects may be

displayed and edited (Fig. 1, Col. 6, l. 6-29). Escobar teaches that the objects are

edited in the same manner (Col 9, l. 20-Col. 10, l.35).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Ubillos   U.S. Patent No. 5,999,173   issued   December 1999

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Amelia Rutledge whose telephone number is (571) 272-

7508. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AR

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